

John F. Robins, Secretary, Animal Concern Advice Line (ACAL), c/o Animal Concern,  
Post Office Box 5178, Dumbarton G82 5YJ. Tel 01389-841111. Mobile: 07721-605521.  
Animal Concern Advice Line (ACAL) is a recognised Scottish charity: No. SC030982.  
Animal Concern Advice Line was established in 2001 to take on the charitable work of Animal  
Concern which was founded as the Scottish Anti-Vivisection Society in 1876.  
E-MAIL: [acal@jfrobins.force9.co.uk](mailto:acal@jfrobins.force9.co.uk) Website: <http://www.adviceaboutanimals.info>

Dear Member of the Scottish Parliament,

I know that many of you have received e-mails from constituents concerned about Scottish Government policies on culling as administered by SNH through their Licensing Schemes.

Despite three General Licenses being revoked in England because English Nature were advised that they are illegal the Scottish Government has decided to allow similar SNH General Licenses to remain in force because SNH say they are slightly different from the English versions. As far as I am aware SNH have not elaborated on what these slight differences are. I had hoped to ask SNH what the differences were during a BBC interview last Friday but SNH did not participate.

When I raised this with you on the 3<sup>rd</sup> of this month I suddenly received a reply from the Scottish Government to questions I put to Ministers last November. I expect many of you will receive similar responses so I thought I would send you a copy of my reply (below). You will see from my reply why I cannot take the information put out by SNH at face value and why I would like full details of why they believe their General Licenses to be legal while the English versions are not.

SNH have given ludicrously low figures for birds injured in the specially licensed annual goose cull on Islay.

SNH claimed an independent expert had said their employees on Islay had followed best practise in videos I obtained of two shooting incidents. In a communication from Police Scotland I discovered the “independent expert” was from the organisation which had trained the marksmen. Even then the “independent expert” still made four criticisms of the shooters. SNH chose to redact three of those criticisms from their original response to my FOI enquiry!

SNH allow a group of “stakeholders” on Islay to spend or direct the spending of nearly £1M per year of public money employing shooters and compensating farmers for having geese eat their grass. The group of “stakeholders” is not a constituted organisation and, as you will see below, SNH seem to know very little about them.

SNH employed a “skilled marksman” who was investigated following an alleged incident in which it was claimed he made threatening gestures towards a wildlife tour operator. His guns and licenses were confiscated by the police though they were later returned along with a Police Scotland warning letter regarding his future conduct.

Another person is currently under police investigation following serious allegations concerning illegally culling and disposing of geese on his own time while employed by SNH as an official culler.

Instead of accepting the SNH statement that General Licenses are still legal in Scotland the Scottish Government should immediately suspend the General Licenses and fully investigate the legality of those licenses. A truly independent review of SNH goose culling on Islay is also long overdue.

SNH now say they will bring forward their consultation on General Licenses from 2020 to later this year. If this is their usual periodic consultation where they ask shooters and the RSPB what birds should come off or be added to the General Licenses then that is not good enough. We need a full, open to all consultation on the very principals behind the General Licensing scheme which is little more than a free for all unjustified slaughter of many species of native wild birds.

I hope the information below is of use to you.

Kind regards,

John F. Robins,  
Animal Concern Advice Line

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John Gray Esq.  
Wildlife Management Team  
Natural Resources Division  
Directorate for Environment and Forestry  
The Scottish Government  
3-G South  
Victoria Quay  
Leith  
EH6 6QQ

Dear Mr. Gray and relevant Government Ministers,

Thank you for your e-mail of 21<sup>st</sup> May 2019 (below) in response to my e-mail to Ministers of 9<sup>th</sup> November 2018. I believe your reply also covers an e-mail I sent to all MSPs on the 3<sup>rd</sup> of this month.

On the subject of American huntress Ms Larysa Switlyk, it was myself who, last November, raised with Police Scotland the issue of the legality of her shooting in Scotland. Your e-mail reminds me to chase this up to find out what the PF decided.

On the subject of goose management on Islay I must dispute the claim you quote from SNH that “ ... ***in 2017/18 (sic), the marksmen shot a total of just over 3300 geese. Of these there were 38 injured geese found and humanely dispatched after shooting events (35 found by the marksmen and 3 reported to SNH by the public)***”. Are you sure these are not numbers for flying pigs accidentally brought down by the so-called marksmen, one of whom I discovered had his firearms confiscated by the police and returned to him with a letter of warning regarding his future conduct?

If you go to our website

(<http://www.adviceaboutanimals.info/newsjanuary2019article1.html> ) and view the videos of just two SNH geese shooting incidents on Islay during the 2017/18 season you will see that c 22 birds were brought down wounded and not all of those were caught and humanely killed. These figures do not include wounded birds which were able to fly away. You will also find still photographs of the bodies of injured birds which escaped only to bleed to death later. Tests on live geese on Islay show that around 40% of those tested have been wounded and are carrying lead shot in their tissues. Quite frankly I think the figure of “***38 injured geese***” is total nonsense.

While I'm talking nonsense I think you should be made aware that, after I asked for a review of their response to an FOI request from myself, SNH sent me a second copy of a document with three redacted lines reinstated. These three lines contained minor but relevant criticisms of the SNH Islay goose cull by someone from the British Association for Shooting and Conservation (BASC) whom SNH had asked to review the videos on the ACAL website. If SNH are in the habit of hiding minor criticisms of what they are doing, I shudder to think what they do with more serious criticisms. SNH are making a nonsense of hard fought for Freedom of Information legislation brought in to ensure open and honest government.

After the videos of the cull were published on the ACAL website SNH told a reporter from The Ferret; ***"We have had these videos reviewed by an independent shooting expert who has confirmed that our skilled marksmen are following best practice in carrying out their role."*** As you will see from the previous paragraph it took an FOI request and then a review to learn that SNH had asked the British Association for Shooting and Conservation to view the videos and that BASC had reservations about how at least one of the ***"skilled marksmen"*** carried out his role. In January of this year Police Scotland informed me that the three SNH marksmen " ... ***have been trained by BASC.***" Can I ask you to explain what ***"independent"*** means in Scottish Government circles? In my opinion the organisation that trained the marksmen are not exactly best placed to give an independent review when film emerges showing that those same marksmen might not have been trained terribly well.

I recently received further very disturbing information from SNH under FOI. The "management" of geese on Islay is supervised by a group of "stakeholders" and SNH reps under the auspices of the Islay Local Goose Management Group. The group has a budget of just under £1M a year which is used to compensate farmers for any crop damage caused by the geese and to pay the wages and costs of the cullers. That presumably would include any training supplied by BASC.

I asked SNH for a copy of the Constitution or Articles of Association governing the Islay Local Goose Management Group. SNH replied stating: ***"We do not hold any specific documentation on the set up of the Islay Local Goose Management Group (ILGMG), or any documentation setting out the constitution. The ILGMG was set up in 2000 at a public meeting in Bridgend Hotel on Islay, and the membership was agreed at that meeting. We do not hold any information about the meeting. There is nothing in the policy or legislation that sets out the specific composition of the Islay group, however it was always intended to broadly reflect the range of local stakeholders."***

Does the Scottish Government think it is sensible to give control of nearly £1M a year to an unconstituted group of people, some of whom may have a vested interest in the distribution of that money? Can you tell me if similar Local Goose Management Groups exist in other areas of Scotland?

I now come to the subject of SNH General Licenses. I am very surprised that SNH has not followed the lead of English Nature whose legal advice has caused them to revoke three of the main General Licenses. I see that SNH “**assess that their licences are sufficiently different in certain aspects to allow them to remain available.**” I wonder if SNH sought advice from another “independent expert”?

I would be grateful if you would elaborate on your reply and tell me if SNH sought legal advice and what sufficient differences SNH believe exist between their General Licences and the equivalent General Licences now revoked in England?

I note that SNH intend “... **to bring forward its consultation on general licensing, originally planned for 2020, to later this year**”. For years I have been asking for a total review of the General License scheme in Scotland which is decades out of date and not fit for purpose. Over the years various Government Ministers have replied telling me that SNH regularly review and consult on these licenses. What SNH does is ask “stakeholders” what birds should be taken off or added to the species to be included in the free-for-all slaughter that is carried out under the General Licenses. We need to be asking if it is right for just about anyone to be allowed to kill unlimited numbers of many species of native wild bird simply by reading a document on a Government website. Cullers don't have to justify to anyone what they are doing. They don't have to prove the birds to be culled are causing damage. They don't have to prove they have unsuccessfully used non-lethal alternatives to scare away or exclude the birds. They don't even have to count the carcasses and tell SNH how many they have killed. Do you really think it is right for gardeners to be able to trap crows and magpies and kill them by bashing their heads against a wall in the very much mistaken believe that they are saving songbirds from extinction?

I request that, instead of waiting for SNH to tell them what sort of review they intend holding, Government Ministers tell SNH that the whole system and the ethos behind it should be up for consultation and a radical review.

I look forward to your reply in due course.

Yours sincerely,

John F. Robins,  
Animal Concern Advice Line

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**Subject:** Goats and Geese

Our ref: 2018/0039374  
21 May 2019

Dear Mr Robins

Thank you for your email of 9 November raising your concerns over several wildlife issues. I have been asked to respond and I apologise for the delay in doing so.

Firstly you mention the shooting of goats on Islay. The Scottish Government (SG) fully understands why many people do not want to see this type of trophy hunting carried out in Scotland. The images on social media and elsewhere of people appearing to revel in their killing of wild animals will be upsetting to many people and is also damaging to our tourist industry. I understand that Police Scotland have now reported the man and woman involved in the shooting of the goat on Islay have been to the Procurator Fiscal in relation to firearm offences. It would therefore be inappropriate for the SG to comment on this matter whilst this case is ongoing.

It may be helpful if I explain the background to feral goats in Scotland. Feral goats are not protected in Scotland and may be shot, subject to firearms and animal welfare law, with the permission of the landowner. The Scottish Government appreciates that, in some circumstances, the culling of animals, including deer and goats, is often a necessary part of sustainable land management. Herbivores such as deer or goats can have a serious impact on the environment, overgrazing and trampling vulnerable habitats, preventing young trees from growing and damaging crops.

However, we strongly believe that, where it is necessary, culling must be done responsibly and respectfully. In light of these pictures, the Cabinet Secretary for Environment, Climate Change and Land Reform will review the situation and consider whether any clarification of or changes to the law might be required.

You also mention the wounding of geese during the cull of this species on Islay. As you mention, media interest in the killing of geese on Islay has come from an article in British Wildlife Journal written by Steve Percival and Eric Bignal. The local goose management group have invited the authors along to their next meeting to discuss the issues raised and to try to seek some agreed solutions to these issues.

Scottish Natural Heritage (SNH) use skilled marksmen to shoot geese. This is done as effectively and humanely as possible but whilst the overwhelming majority of birds shot are killed outright, there is a risk of wounding a small number of geese. SNH continue to work to minimise this risk wherever possible, through regular reviews of their training and practices. The marksmen look for injured geese on a daily basis and dispatch these as quickly as humanly as possible. SNH ask the public to report injured geese to SNH. In 2017/18, the marksmen shot a total of just over 3300 geese. Of these there were 38 injured geese found and humanely dispatched after shooting events (35 found by the marksmen and 3 reported to SNH by the public).

SNH understands concerns around lead shot use, and do not use lead shot on wetland sites. SNH plans to phase out lead shot for all SNH operations in the near future.

You also raise concerns over the use of general licences. Scottish Natural Heritage (SNH) General Species Licences authorises farmers and land managers to control birds to protect crops and livestock without the need to apply for a separate licence for each and every intended control activity.

Following the initiation of judicial review proceedings in England arguing that general licences issued by Natural England mean users are not acting lawfully, three general licences in England were revoked for the control of 16 species of birds, including crows and wood pigeons. The issue revolves around the extent to which the applicant or the licensing authority should be assured that there are no satisfactory alternatives to lethal control. Natural England perceived a risk of successful legal challenge and decided to revoke the three general licences.

General licences in Scotland are broadly similar to those in England but SNH assess that their licences are sufficiently different in certain aspects to allow them to remain available. They have sought to reassure stakeholders and are following developments in England closely. If any changes to General Licences for wildlife in Scotland are required, we expect this will be considered with an appropriate period of consultation and we would also seek to allow sufficient time for any adjustments to take place and for users to be made aware. SNH has also decided to bring forward its consultation on general licensing, originally planned for 2020, to later this year.

You also call for shooting estates to be licensed. Roseanna Cunningham MSP, Cabinet Secretary for Environment, Climate Change and Land Reform, announced in 2017 that the Scottish Government intend to set up an independently-led group to examine how to ensure grouse moor management is sustainable and compliant with the law. Licensing grouse shooting businesses is one of the activities associated with grouse moor management that the group will consider. The independent grouse moor review group, led by Professor Alan Werritty, has now been established and held their first meeting in January 2018. The group will report back to the Cabinet Secretary in summer 2019. Further details about the group, including the work undertaken so far, can be found at:

<https://beta.gov.scot/groups/grouse-moor-management-group/>

Yours sincerely

John Gray  
Wildlife Management Team  
Natural Resources Division  
Directorate for Environment and Forestry  
The Scottish Government  
3-G South  
Victoria Quay  
Leith  
EH6 6QQ